



Legislation Text

File #: 17-0976, **Version:** 1

TO: Honorable Mayor & Members of the North Port Commission

FROM: Peter D. Lear, CPA, CGMA, Interim City Manager

TITLE: Siting and buffer requirements of medical cannabis dispensing facilities.

Recommended Action

Provide direction regarding a potential amendment to the recently adopted ordinance for the siting of medical cannabis dispensing facilities.

Background Information

On November 22, 2016 the City Commission adopted Ordinance No. 2016-33, which amended the Unified Land Development Code to allow for medical cannabis dispensing facilities to locate within the City of North Port provided they meet the requirements of the ordinance. During commission discussion, an amendment was made to the motion to add an 800-foot buffer between any proposed medical cannabis dispensing facility and a residential property. City Commission directed staff to perform an analysis on the impact of this buffer and to return with an update. Staff performed this analysis and found that the 800-foot buffer severely limits the potential for placement of these facilities. Staff has performed additional analyses for a variety of scenarios that Commission could choose as an alternate to the numbers presented in the original ordinance as amended.

Staff was also directed to provide an update regarding the section of the ordinance that discusses lease requirements and with information regarding the regulations in cities which already have a medical cannabis dispensing facility located in their boundaries. Applicants are required to submit leases to prove occupancy for water service and to obtain certain City permits. Otherwise, a search of the City's codes revealed no requirement for leases to be inspected. A table providing information on the cities which have existing and/or proposed medical cannabis dispensing facilities along with the status of their regulations is provided in the backup, along with a copy of the regulations.

Staff has been tracking the progress of rulemaking for Amendment 2 that passed in November 2016. Currently, there are two competing bills moving through the Senate, SB 406 and SB 614. SB 406 makes amendments to the current Statute 381.986, updating language and adding provisions to reflect the adoption of Amendment 2. SB 614 calls for a repeal of Statute 381.986 and creating new statutes to adopt the guidelines provided in Amendment 2. The Florida Department of Health is also working on rulemaking as required in Amendment 2, and has been conducting workshops throughout the state. Staff is monitoring these processes and will continue to update the Commission as necessary to ensure that City Code aligns with Florida law.

An additional scenario was created at the request of one of the City Commissioners. This scenarios utilizes an 800 foot buffer from both residential and from schools and churches, and is included in an additional attachment as "Scenario G".

At the March 28, 2017 City Commission Meeting, this item was continued to the special meeting on April 4, 2017.

Strategic Plan

North Port 2030 offers a climate for economic growth and community prosperity, quality local healthcare, and quality of life opportunities.

Financially responsible city providing quality municipal services.

Financial Impact

None

Procurement

None

Attachments:

1. Memo with Map Scenarios
2. Ordinance No. 2016-33
3. Scenario G

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